



STATE OF WASHINGTON
WASHINGTON STATE BOARD OF HEALTH
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December 15, 2005

TO: Washington State Board of Health Members

FROM: Craig McLaughlin, Board Staff

**RE: REVIEW OF CONTRACT FOR HEALTH SERVICES BETWEEN CLARK
AND SKAMANIA CONTRACTS**

Background and Summary

At its July 2001 meeting in Vancouver, the Board heard a report on the dissolution of the Southwest Washington Health District. Clark County had decided to provide public health services to its residents through a regular department of county government, rather than a multi-county district. During a meeting in Skamania County in May 2004, the Board had a wide-ranging conversation with Skamania County officials. As part of that discussion Marilyn Butler, the county's public health administrator, explained that Skamania had a contract with Clark, under which the Clark County Health Department provides public health services to Skamania residents. Ms. Butler said Skamania was reviewing the contract with Clark and considering its options for 2005—renewing its contract with Clark, contracting with another county, or establishing its own county health department. Skamania has chosen to renew its contract with Clark. A copy of the proposed contract, which would take effect next month, is attached.

According to RCW 70.05.150—Contracts for sale or purchase of health services authorized, “In addition to powers already granted them, any county, district, or local health department may contract for either the sale or purchase of any or all health services from any local health department. Such contract shall require the approval of the state board of health.” The statute has been on the books since 1963. Minor changes were made in 1993 in the context of health services reform.

To my knowledge, the Board has not been asked to approve contracts previously, and there are outstanding questions about the types of agreements to which this would apply. The language applies only to agreements between local health jurisdictions, not to agreements between state and county agencies and not to agreements with private entities. Presumably, it would not apply to agreements where no purchases are involved—for example, regional agreements to share in-kind services provided under the Public Health Emergency Preparedness and Response program. However, it is not clear if it would apply, say, to agreements for one county to purchase the part-time services of a health officer from another county.

In conversations with Board staff, some state and local public health officials—all of whom were surprised to learn about this statute—have expressed concerns about whether this is an

appropriate activity for the Board. Regardless, the statute is on the books, and it would clearly apply to the proposed contract between Clark and Skamania. To assure the legality of the contract, representatives of the two counties have requested Board approval. Marilyn Butler and John Wiesman, director of the Clark County Health Department, will be available to answer questions about the contract by phone.

Recommended Board Motions

The Board may wish to introduce, modify as needed, and consider adopting the following motion:

The Board approves the contract under which Skamania County would purchase public health services for its residents from Clark County.

Attachments